

TOWN OF POLK
Plan Commission Minutes
May 4, 2010
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I. Call Meeting to Order - The meeting of the Plan Commission of the Town of Polk was called to order by Chairman Albert Schulteis at 7:30 p.m.

A. Pledge of Allegiance - Pledge of Allegiance was recited.

B. Official Meeting Notice - Chairman Schulteis reported that the notice of the meeting was sent to the West Bend Daily News, the Hartford Times Press, WBKV, WTKM, Milwaukee Journal Sentinel and posted at the Town Hall, Highway View School, Cedar Hills bulletin boards, and also posted on the Town of Polk website.

C. Roll Call - Members present: Chairman Albert Schulteis, Willard Heppe, Karen Reiter, Supervisor Harold Groth, Marvin Kissinger, Robert Roecker, Mark Peters, guest Supervisor Theodore Merten, and Judy Stephenson, Zoning Secretary.

D. Approval of minutes for April 8, 2010 - Motion made by Karen Reiter to approve the April 8, 2010 minutes with the correction of Robert Roecker as seconding motions for minutes approval and for adjournment instead of Mark Peters. Motion seconded by Mark Peters. All voted in favor and motion carried.

II. Unfinished Business - none

III. New Business - Discussion/Possible Action on the Following:

A. Business Use for a Landscape Construction business for owner, Daniel Eichenberger, 570 Cedar Bluffs Way, Slinger. Property owners are Richard Zurowski & Bernard Poupore, business location 3723 Hwy 60, Slinger, WI 53086. Section 22, zoned M-1 Industrial.

Daniel Eichenberger stated that his business does retaining walls, patios, walkways and such. He further stated that he plans to use the property to store his equipment and materials; on the side of the building not visible from the road he plans to store pallets and retaining wall block, with equipment stored inside. Mr. Eichenberger stated that he would not be hauling dirt on the property and maintenance of equipment would be done inside the shop. Richard Zurowski stated that the proposed business hours of 6am to 8pm Monday through Saturday would not disturb the other business occupants because they had similar hours and there had not been problems in the past.

Motion made by Willard Heppe and seconded by Robert Roecker to recommend approval to the Town Board of the business use application for Daniel Eichenberger. All voted in favor and motion passed.

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B. Smoking Enclosure Patio Addition of 12 ft. by 10 ft. to be added to an existing deck for Gearheads Pub, 4493 Hwy P, owner Altee Enterprises LLC, .90 acres, Tax Key T9-0465, Section 12.

Alan Tatalovich, Altee Enterprises, stated that this would be a California room, a small enclosure on the back of the deck to comply with State smoking ban that takes effect July 5, 2010 for taverns. He further stated that the existing deck is already permitted for a beer garden and the bartenders will be able to look through the window to monitor the area, as they currently do, to be sure patrons stay on the deck and no problems arise out there. Mr. Tatalovich stated that the law requires 25 % or greater window area and he will have about 60 % window area done in acrylic rather than actual glass for safety and will slide open. He further stated that the structure itself is aluminum. Further discussion was held. Mr. Tatalovich stated that people can currently go out onto the deck to smoke but the enclosure is for inclement weather and to comply with State law; also, the architect has already done three of these enclosures in the Milwaukee area to be in compliance.

Motion made by Karen Reiter and seconded by Mark Peters to recommend approval of the smoking enclosure patio addition for Gearheads Pub to the Town Board. All voted in favor and the motion carried.

C. Ordinance regarding Swimming Pool fences.

Judy Stephenson stated that she had contacted the three municipalities that were said to allow pool covers in lieu of a fence around inground pools and found that none did indeed have that in lieu of provision in their zoning. She further stated that a contact with SEWRPC in July of 2008 did not reveal such a provision in municipality zoning ordinances. Discussion was held. Karen Reiter stated that a letter should be sent to the party who brought up this issue and explain that SEWRPC and municipalities were contacted and we do not feel that our ordinance should be changed at this time. Judy Stephenson stated that the Town ordinance does not prohibit pool covers in addition to the required fence. Robert Roecker moved that recommendation be made to the Town Board that we keep our Ordinance as it is without any changes. He further moved that we send a letter to the applicants to let them know that we have done the pertinent research and there are no other townships or villages near us that allow a cover in lieu of a fence and until we have more information or more accurate information that we will keep the ordinance as it is intact. Motion seconded by Karen Reiter and motion carried.

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D. Zoning Violations - A property on Highland Park Dr. is said to be operating as a rooming house, which is not permitted under Town zoning. Discussion was held.

IV. Other Business

A. Correspondence - Letter received from Wisconsin Towns Association urging town officers and town citizens to call the Governor's office and ask that he sign bill AB 260 into law. Comprehensive Planning Seminar has been rescheduled to June 3, 2010 at the Fair Park, 7pm to 9pm. Pat Stracota has offered to come to the Town Board meeting and address any concerns if we let her know ahead of time. This Thursday has been proclaimed National Day of Prayer.

C. Board of Appeals - none.

D. Building Inspector's Report - none.

V. Adjournment - Motion made by Karen Reiter and seconded by Mark Peters to adjourn. All voted in favor and the meeting was adjourned at 8:20 p.m.

Respectfully Submitted,

Judy Stephenson
Zoning Secretary